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September 30, 2024

Hon. Arun Subramanian, U.S.D.J.
United States Courthouse
500 Pearl St.
New York, NY 10007-1312

Re: ***TKE Elevator Corp., v National Union Fire Insurance Company of Pittsburgh, P.A.***
Case No.: 1:24-cv-00175 (AS)

Dear Judge Subramanian:

We write jointly on behalf of Plaintiff T.K. Elevator Corp and Defendants National Union Fire Insurance Company of Pittsburgh, Pa. and American Home Assurance Company. Plaintiff and Defendants jointly respectfully request a stay and extension of the current discovery end date of October 14, 2024, to allow the parties an opportunity to achieve a global resolution of this case and a related underlying personal injury action pending in state court.

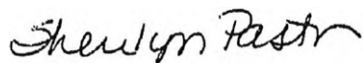
This insurance coverage case seeks defense and indemnity arising from an underlying personal injury action pending in the Supreme Court, Kings County captioned *Salvador & Edeline Vera v. New York Elevator & Electrical Corp., et al*, Index No. 16651/08 (the "Vera Action"). The parties to this action are both parties in and/or providing a defense to parties in the Vera Action, the **settlement of which could render this case moot.** There is a settlement conference in the Vera Action scheduled for October 3, 2024.

Plaintiff and Defendants, and the various counsel and claims adjusters, have been in discussions and believe they may be able to resolve the Vera Action and this action as well.

Accordingly, the parties jointly respectfully request a 90-day adjournment of the October 14, 2024 discovery end date - until January 12, 2025 - to permit them to conduct their multi-party settlement discussions, so that they do not incur further costs and expenses in connection with discovery, which may undermine their settlement efforts.

We thank the Court for its consideration of this request.

Respectfully,



Sherilyn Pastor, Esq.
Counsel for Plaintiff

/s/ Bruce S. Goodman

Bruce Goodman, Esq.
Counsel for Defendants

The Court greatly appreciates the parties' efforts to reach a settlement, but it generally does not stay litigation deadlines for the purposes of settlement discussions. And the Court sees no reason to stay the case here, given that the settlement conference in the related state action is scheduled for October 3, 2024, eleven days before discovery closes in this action. Accordingly, the motion is DENIED. The Clerk of Court is respectfully directed to terminate the motion at ECF No. 36.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Date: September 30, 2024